



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

NPL-07-3-L  
JUL 22 1987

OFFICE OF  
SOLID WASTE AND EMERGENCY RESP

MEMORANDUM

SUBJECT: Arkwood, Inc. Site  
National Priorities List

FROM: Henry L. Longest II, Director  
Office of Emergency and Remedial Response

TO: File

7/24/87  
001416

On Monday, June 29, 1987, a meeting was held in the office of Congressman John Hammerschmidt to discuss the inclusion of the Arkwood Inc. Site on the National Priorities List (NPL). The Arkwood Site is located in Omaha, Arkansas, and was proposed to the NPL on September 18, 1985.

The meeting was requested by Congressman Hammerschmidt on behalf of his constituent C.C. Grisham, the former owner of the Arkwood Inc. The purpose of this memo is to document the issues discussed at the meeting.

Besides myself, the following individuals were in attendance at the meeting:

Congressman John Hammerschmidt	
Dr. J. Winston Porter	Assistant Administrator for the Office of Solid Waste and Emergency Response (OSWER)
Ms. Lynn Pirrozelli	Special Assistant to Dr. Porter
Hallie C. Ormond	Former Arkwood landowner
C.C. Grisham	General Manager of Arkwood, Inc.
Mary Jo Grisham	Wife of C.C. Grisham
Mary F. Burke	Current Arkwood landowner
Bill F. Doshier	Attorney representing C.C. Grisham

During the meeting, Mr. Grisham expressed two major concerns regarding this site. First, Mr. Grisham stated that the Environmental Protection Agency (EPA) Region VI has stated or implied that the Arkwood Site has already been added to the final NPL. Dr. Porter and I both reassured

Mr. Grisham that this was not the case. We explained that the site was currently proposed to the NPL, and that, as had already been pointed out by Region VI, an error had been made in the original evaluation of this site for the inclusion on the NPL. We informed Mr. Grisham that the Agency was currently reviewing data and information on the site. Mr. Grisham provided the attached documents to support his position.

Mr. Grisham then asked to obtain the revised Hazard Ranking System (HRS) documents for the site. I explained that the revised documents would only be available at the time a formal Agency decision is reached to either place the site on the NPL or drop the site from further consideration for listing at this time. I further explained that the development of the HRS score for a site is a deliberative rulemaking process. The HRS is a technical evaluation model which estimates relative risks at waste sites. The conditions at a site are evaluated and are represented numerically in the HRS documents. The documents and data used to support the HRS evaluation are available in the docket at the time that a site is proposed to the NPL.

Next, Mr. Grisham stated that he was being harrassed by EPA and the Department of Justice (DOJ). According to Mr. Grisham, Mass Merchandisers, Inc. (MMI), the current owner/operator of the facility, has entered into a Consent Agreement with EPA. Mr. Grisham asserted that EPA and DOJ are pressuring Mr. Grisham to sign the agreement as well. Mr. Grisham claimed that he had been told by DOJ that if he did not sign the agreement he could be fined up to \$25,000.00 per day. Mr. Grisham stated that he did not want to sign the agreement because he believed that MMI intended to sue him for the cost of the cleanup at the site.

In a related matter, Mr. Grisham stated that he would grant site access to anyone who wished to go onto the site provided that it was in no way related to his being a party to the Consent Agreement between EPA and MMI. Before granting site access, Mr. Grisham said he wanted "due process."

Mr. Grisham contended that the site was not presenting a threat to the environment. He stated that wells located both on and off the site are not contaminated. Mr. Grisham stated that a nearby spring which had been contaminated, was now clean.

Dr. Porter and I assured Mr. Grisham and the others present that EPA would carefully evaluate all the information currently available on the site before making a final decision as to whether the site should be added to the final NPL.

Attachment

001477